

21-6-403. Circuit court clerks - Uniform filing fees.

(a)(1) The uniform filing fees to be charged by the clerks of the circuit courts for initiating or reopening a cause of action in the circuit courts in the state shall be as prescribed in this section.

(2) No portion of the filing fees shall be refunded.

(b) The uniform filing fees shall be:

(1) For initiating a cause of action in the circuit court, including appeals .....\$140.00

(2) For reopening a cause of action in the circuit court .....50.00

(3) For any cause of action which by court order is transferred from any district or circuit court to a circuit court .....50.00.

(c) No fee shall be charged or collected by the clerks of the circuit courts when the court, by order, pursuant to Rule 72 of the Arkansas Rules of Civil Procedure, allows an indigent person to prosecute a cause of action in forma pauperis.

(d) No initial filing fee shall be charged for domestic violence petitions filed pursuant to § [9-15-201](#) et seq. Established filing fees may be assessed pursuant to §§ [5-26-310](#) and [9-15-202\(c\)](#).

(e) No fee shall be charged or collected by the clerks of the circuit courts for reopening a cause of action in the circuit court under the following circumstances:

(1) Application is made for revocation of conditional release of insanity acquittees pursuant to § [5-2-316](#); or

(2) An agreed order or an order of income withholding is presented to be filed, and no service of process is required.

(f) No county shall authorize, and no circuit court clerk shall assess or collect, any other filing fees than those authorized by this section unless specifically provided by state law.

(g) The circuit court may waive the filing fee in cases of involuntary admission upon a finding that the petition is being brought for the benefit of the respondent and it would be inequitable to require the petitioner to pay the fee.

(h) As used in this section, "circuit court clerk" means the circuit clerk and, with respect to probate matters, any county clerk who serves as ex officio clerk of the probate division of the circuit court.

History. Acts 1977, No. 333, § 1; 1981, No. 824, § 2; 1981 (Ex. Sess.), No. 16, §§ 9, 11; 1981, (Ex. Sess.), No. 27, § 4; A.S.A. 1947, § 12-1710.2; Acts 1989, No. 534, § 1; 1989 (3rd Ex. Sess.), No. 34, § 3; 1995, No. 1256, § 3; 1997, No. 788, § 25; 1997, No. 1341, § 25; 1999, No. 1081, § 4; 2003, No. 1185, § 259; 2003, No. 1765, § 27; 2005, No. 65, § 1; 2005, No. 431, § 1; 2005, No. 1893, § 1.